United States District Court

EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

JENNIFER LUGO and	§	
CARY W. SCHULMAN	§	
	§	
	§	Case No. 4:11-CV-00057
	§	Judge Schneider/Judge Mazzant
COLLIN COUNTY, Texas, HANNAH	§	
KUNKLE, In her personal capacity as Former	§	
District Clerk of Collin County, PATRICIA	§	
CRIGGER, In her personal capacity as former	§	
Chief District Clerk of Collin County, LORI	§	
ROBERTSON, In her personal capacity as	§	
Supervising Deputy District Clerk of Collin	§	
County, STACIE BURNSIDE, Deputy District	§	
Clerk of Collin County, DEBRA HILL, Deputy	§	
District Clerk of Collin County, ANGELA	§	
SHEWMAKE, In her personal capacity as	§	
Deputy District Clerk, AND ROBERT DAVIS,	§	
In his personal capacity as County of Collin	§	
Attorney.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 2, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Robert Davis' 12(b) Motion to Dismiss (Dkt. #17), Defendant Collin County's Rule 12(b) Motion to Dismiss (Dkt. #18), and Defendants Kunkle, Crigger, Robertson, Hill, and Shewmake's Rule 12(b) Motion to Dismiss (Dkt. #19) should be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions

of the Court.

It is, therefore, **ORDERED** that Defendant Robert Davis' 12(b) Motion to Dismiss (Dkt. #17) is **GRANTED**, Defendant Collin County's Rule 12(b) Motion to Dismiss (Dkt. #18) is **GRANTED**, and Defendants Kunkle, Crigger, Robertson, Hill, and Shewmake's Rule 12(b) Motion to Dismiss (Dkt. #19) is **GRANTED**.

Plaintiffs' federal claims under 42 U.S.C. § 1983 against all Defendants, including Burnside, are dismissed with prejudice. Plaintiffs' state claims are dismissed without prejudice.

IT IS SO ORDERED.

SIGNED this 20th day of September, 2011.

MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE

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